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Alberta
ENVIRONMENTAL PROTECTION

Code of Practice for

Oil Production Sites

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CODE OF PRACTICE FOR OIL PRODUCTION SITES

ALBERTA ENVIRONMENTAL PROTECTION

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CODE OF PRACTICE FOR OIL PRODUCTION SITES

ALBERTA ENVIRONMENTAL PROTECTION

Introduction

1(1) The Code of Practice for Oil Production Sites is incorporated by the *Conservation and Reclamation Regulation* (A.R. 115/93), under the authority of section 36 of the *Environmental Protection and Enhancement Act.* Operators affected by this Code must meet all its requirements to ensure that their activities are in compliance with the Act. In addition to the requirements of this Code of Practice, operators must comply with all requirements of the *Environmental Protection and Enhancement Act,* its associated regulations, and all other applicable laws.

(2) Operators should refer in particular to the *Public Lands Act* which regulates land and resource management matters on public land including, but not limited to, siting, timing, buffers, and wildlife. Hydrocarbon spills, sumps and flare pits must be dealt with in accordance with the requirements of the Alberta Energy and Utilities Board and Alberta Environmental Protection. Any on-site or off-site contamination must be remediated to criteria applied by Alberta Environmental Protection. Weed control must be done in accordance with the requirements of the *Weed Control Act* which is administered by the local municipality.

(3) This Code of Practice outlines the minimum requirements for the construction and operation of oil production sites. The Code applies in conjunction with the *Environmental Protection Guidelines for Oil Production Sites* (Conservation and Reclamation Information Letter IL 94-6 or its successors) and the *Reclamation Criteria for Wellsites and Associated Facilities* (Conservation and Reclamation Information Letter IL 95-3 or its successors). Both Information Letters are published by Alberta Environmental Protection. This Code, together with the Information Letters, is intended to identify characteristics of adequate construction and operational practices that will ensure later reclamation efforts will not be significantly compromised. Although the Code applies to only oil production sites, operators are encouraged to apply the intent and spirit of the Code to all oil and gas wellsites.

(4) The *Environmental Protection Guidelines for Oil Production Sites* provide general guidance on conservation and reclamation matters, including planning and siting. This Code of Practice sets out construction and operation requirements that operators of oil production sites within the Province of Alberta must comply with. The *Reclamation Criteria for Wellsites and Associated Facilities* specifies reclamation requirements that operators must meet to obtain a

reclamation certificate. These documents are complementary and should be used in conjunction with each other.

(5) In the event that a landowner requests an operator to undertake procedures that conflict with the Code, the operator should contact the inspector who will discuss the issue with the landowner. If necessary, the inspector will arrange an on-site meeting with the operator, the landowner, and, where possible, the local representative of the Alberta Energy and Utilities Board (EUB). This meeting will ensure that all parties understand that the Code is intended to achieve appropriate reclamation at the end of the useful life of the oil production site and that the operator is bound by the Code.

(6) In some instances the EUB process, including a possible hearing, may delay development beyond the term of the mineral rights agreement issued by Alberta Energy, or beyond a deadline in the mineral rights agreement. In these cases, the operator may request that Alberta Energy extend the expiry date or the deadline. Other situations may warrant an extension and are reviewed by Alberta Energy on a case-by-case basis.

(7) Questions regarding this Code of Practice can be addressed to:

Alberta Environmental Protection
Land Reclamation Division
3rd Floor, 9820 - 106 Street
Edmonton, Alberta
T5K 2J6
Phone: (403) 427-6202
Fax: (403) 422-0080

Definitions:

2(1) In this Code of Practice,

(a) "cultivated land" means land that has been ploughed to prepare a seed bed at some time and has a well-defined Ap horizon, and includes cultivated peat lands, lands under continuous and rotational cropping systems, and hayland, but does not include range improvement areas in grazing dispositions or reserves which are considered to be grassland;

(b) "disturbed land" means any land on which the operator conducts, causes or

permits to be conducted any operation or activity associated with an oil production site, consisting of or resulting in any disturbance, exposure, covering, erosion, degradation, or deterioration of the surface of the land in any manner;

(c) "field production facilities" means the well pads, access roads, batteries, sumps, pipelines, flowlines and other facilities at an oil production site;

(d) "forested land" means treed (bush) land. In the White Area, forested land includes a mixture of private and public land. Some of these lands have potential for cultivation. Forested land may also have potential for multiple use. Some forested land in the White Area has severe limitations (e.g., soil, topography, access) that will preclude cultivation in which case they may be considered as an alternate land type. In the Green Area, native meadows or range improvement areas in grazing dispositions are considered to be grassland when confirmed with the inspector;

(e) "grassland" means land that is permanently grassed including, but not limited to, range improvement areas, grazing dispositions on public land (White Area or Green Area), native prairie and grassland areas, Special Areas Board land, and Eastern Irrigation District land. Grassland that has a well defined Ap horizon and a reasonable likelihood of cultivation is considered to be cultivated land;

(f) "oil production site" means the field production facilities for recovering oil or oil sands by drilling or other in-situ recovery methods, including any injection or pumping facilities and any associated infrastructure, where the site is located within the area illustrated in Appendix "A";

(g) "operator" means

(i) any person who constructs, operates or reclaims or has constructed, operated or reclaimed an oil production site,

(ii) the holder of a licence, approval or permit issued by the Alberta Energy and Utilities Board for purposes related to the operation of an oil production site,

(iii) the holder of a surface lease for purposes related to the carrying on of an oil production site,

(iv) a successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in any of subclauses (i) to (iii), or

(v) a person who acts as principal or agent of a person referred to in any of subclauses (i) to (iv);

(h) "surface soil" means the uppermost mineral/organic material valued as a growing medium;

(i) "watercourse" means the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or a canal, ditch, reservoir or other man-made surface feature, whether it conveys water continuously or intermittently.

(2) Terms that are defined in sections 1 and 119 of the *Environmental Protection and Enhancement Act* and in the *Conservation and Reclamation Regulation* (A.R. 115/93) are incorporated into and become part of this Code of Practice, unless otherwise defined or modified within this Code of Practice.

Notification to the Inspector

3(1) In order to determine the need for an on-site inspection by an inspector, the operator shall notify an inspector at least 2 working days before commencing construction where an oil production site on private land will involve any of the following:

(a) a 10 metre elevation difference across the wellsite lease,

(b) construction where the edge of disturbance is 30 metres or less from a watercourse or valley break,

(c) development in sensitive areas, such as wildlife habitat or sand dunes, or

(d) no strip procedures.

(2) When notifying an inspector in accordance with section 3(1), the operator shall provide the inspector with a copy of the survey plan for the oil production site.

(3) Where an operator has not received a request from an inspector for an on-site inspection within 2 working days of submitting the information in section 3(2), the operator is entitled to proceed with the construction.

(4) The requirement to notify an inspector under section 3(1)(d) does not apply where an inspector has advised the operator in writing that the operator is exempt from providing notice under this section.

Site Preparation, Construction and Operation

4(1) The operator shall

(a) salvage and conserve soils from disturbed land at an oil production site, unless otherwise authorized by an inspector;

(b) use conserved soil exclusively for reclamation of the oil production site from which the soil was salvaged;

(c) on cultivated land, salvage the plough layer (Ap horizon) and any Ah, Ahe or similar horizons such as Bp

(i) in very deep surface soils, to a maximum depth of 70 centimetres, or

(ii) in very shallow surface soils of less than 10 centimetres, to a minimum depth of 10 centimetres, unless the underlying material is unsuitable for salvage;

(d) on grassland, salvage

(i) all Ah and Ahe horizons 15 centimetres or greater, or

(ii) a minimum of 15 centimetres of material where the A horizon or horizons are less than 15 centimetres, unless the material is unsuitable for salvage;

(e) on forested land in the White Area, salvage

(i) duff (LFH) and Ah and Ahe horizons and up to 15 centimetres of the Ae horizon, or

(ii) a minimum of 15 centimetres of material where the A horizon or horizons are less than 15 centimetres, unless the material is unsuitable for salvage;

(f) on forested land in the Green Area, salvage a minimum of duff (LFH) and 15 centimetres of mineral soil, unless the material is unsuitable for salvage;

(g) for peat less than 40 centimetres, salvage to

(i) a minimum depth of 15 centimetres.

(ii) a maximum depth of 40 centimetres. or

(iii) the mineral soil contact using conventional equipment, which includes a bulldozer but not a hoe.

(2) For the purposes of subsections (1)(c) – (f), examples of material unsuitable for salvage include, but are not limited to, Bnt soil horizons, bedrock, gravel or rock.

(3) Notwithstanding subsection (1)(g), for peat 40 centimetres or greater, the operator is not required to salvage surface soils but where the land is potentially arable, pad removal may be required at the end of the life of the pad.

(4) When less than the minimum depth of surface soil specified in subsections (1) (c) - (f) is salvaged because material is unsuitable for salvage, the operator shall document this information and include the information in the application for a reclamation certificate.

(5) The operator shall

(a) locate surface soil stockpiles and storage areas in a secure area at the edge of the disturbed area away from other stockpiled materials and drilling activities in order that the stockpiles are accessible and available for replacement during final reclamation,

(b) create stable stockpile foundations, and

(c) contour, seed, or otherwise stabilize stockpiles.

(6) The operator shall keep accurate records of soil storage areas.

(7) The operator shall suspend soil salvage when wet soil conditions exist for the majority of the area being stripped and salvage is causing or has caused

(a) rutting that exceeds the depth of the surface soil,

(b) ponding water, or

(c) surface soil migration off site due to uncontrolled surface water runoff.

(8) When salvaging soils under frozen conditions, the operator shall take reasonable care to minimize admixing to facilitate preservation of surface soil quality.

(9) The operator shall maintain drainage to prevent water impoundment under normal climatic conditions.

(10) The operator shall maintain access roads to prevent soil erosion and siltation of watercourses.

(11) The operator shall take preventive measures to control soil and water contamination, off-site contamination, soil erosion and landscape instability at the oil production site.

Reclamation

5 In addition to the requirements under the *Environmental Protection and Enhancement Act* and the *Conservation and Reclamation Regulation* (A.R. 115/93), the operator shall reclaim an oil production site in accordance with the requirements of the most recent edition of the *Reclamation Criteria for Wellsites and Associated Facilities* published by Alberta Environmental Protection.

Code Amendment

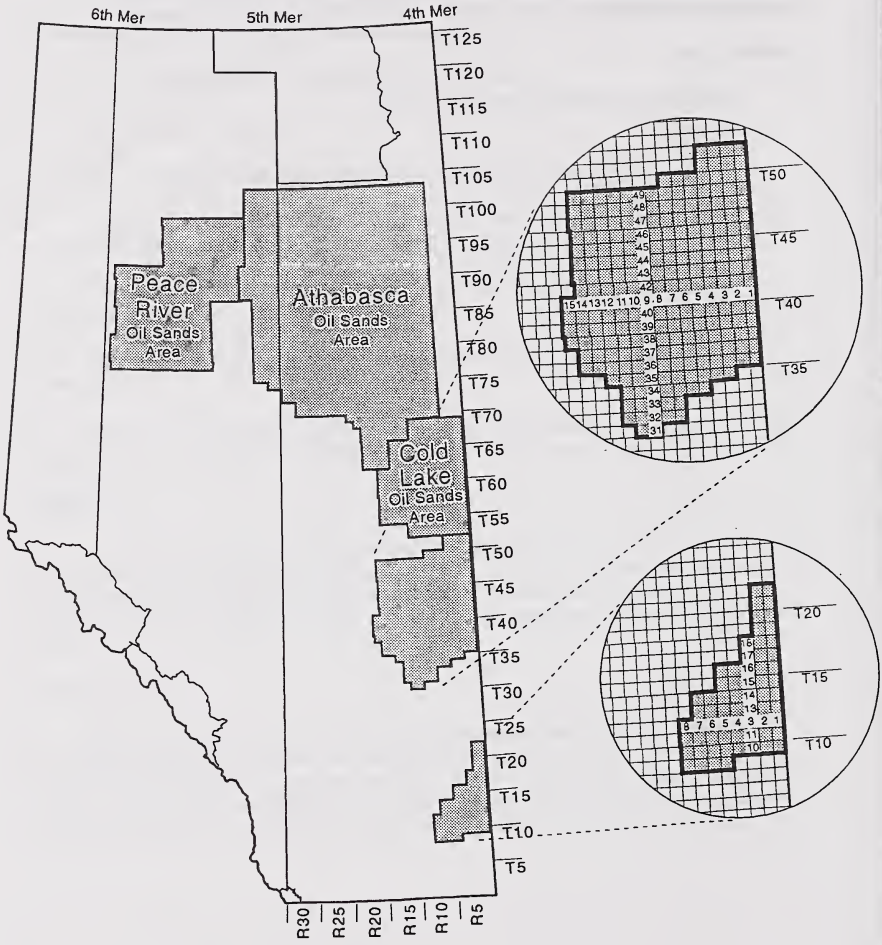
6 This Code of Practice will be reviewed every 2 years beginning in 1999. Alberta Environmental Protection will accept and compile written comments on the contents of this Code at any time, and will review all comments received at the next 2 year review. The Director may institute review and amendment of this Code of Practice at any time. All proposed amendments to this Code of Practice will be reviewed by government, industry, and the interested public. The

Director shall have the final decision on amendments made to this Code of Practice. Amendments to this Code of Practice shall become effective when published by Alberta Environmental Protection.

Effective Date

7 This Code of Practice is effective July 1, 1997.

OIL PRODUCTION SITE AREAS



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